

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CHARLES WILLIAMS

Plaintiff,

-against-

PALLADIA, INC. and CORINE WORKMAN

Defendants
-----X

: 07cv 7720(CM)(RLE)

:
:
:
: **NOTICE OF MOTION**
:
:
:

PLEASE TAKE NOTICE THAT upon the annexed Affidavit of Mark E. Spund sworn to November 8, 2007, the exhibits annexed thereto, the memorandum of law and the papers in support thereof, defendants Palladia, Inc. and Corrine Workman, sued herein as "Corine" Workman, will move this Court before Hon. Colleen McMahon, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York for an order, pursuant to Federal Rules of Civil Procedure Rule 12(b)(6):

(a) dismissing the Complaint against defendant Ms. Workman, as Title VII does not provide for individual liability, and

(b) dismissing that portion of the Complaint alleging discrimination based upon race, retaliation, and "other acts" - "No increase in wages after 1 year" for plaintiff's failure to exhaust his administrative remedies.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the Individual Practice

Rules of Hon. Colleen McMahon, responsive paper must be served upon the undersigned two (2) weeks after receipt of these moving papers.

Dated: Garden City, New York
November 8, 2007

DAVIDOFF MALITO & HUTCHER LLP

By: 

Mark E. Spund (MES 4705)

Attorneys for Defendants

200 Garden City Plaza, Suite 315

Garden City, New York 11530

(516) 248-6400

To: Charles Williams
Plaintiff pro se
5 West 91st Street, # 5E
New York, New York 10024